

ranto; to apply for and obtain injunction to restrain any and all violations of this Act, the appointment of receivers and the dissolution of said offending corporation, joint stock company, or association, and for such other relief, either legal or equitable, as may be necessary to the end of obtaining enforcement of all of the provisions of this Act.

"(e) Failure to comply with the provisions of this Act, after proper notification of such delinquency has been brought to the attention of the offender by any of the officials charged with the enforcement of this law, shall constitute willful disobedience thereto, and shall authorize the Assistant Attorney General to institute and maintain quo warranto and injunction suits against such offending concerns, and upon such showing it shall be the duty of the court to grant all proper relief by way of dissolution, appointment of receiver, or any other appropriate relief called for by the case.

"(f) The venue of all suits contemplated by Section 9 of this Act shall be in the District Courts of Travis County, Texas.

"Section 16. The Special Assistant Attorney General, Secretary and Commissioner shall annually make a written report to the Governor, setting forth the work done under these laws, the effectiveness of their operation and containing any suggestions or recommendations with regard to the improvement or increased efficiency of said laws as may be developed by their experience and observation in the enforcement of the same."

Amend the bill so that Section 13 shall be Section 17.

Amend the bill so that Section 14 shall be Section 18

Amend the bill so that Section 15 shall be Section 19.

Amend the bill so that Section 16 shall be Section 20.

Amend the bill so that Section 17 shall be Section 21.

Amend the bill so that Section 18 shall be Section 22.

Amend the caption so that it shall read:

"An Act to regulate and supervise the sale and purchase in this State of stocks by any person, firm, corporation, joint stock company or other association of persons, organized for profit, which propose to increase their

capital stock; and to regulate and supervise the sale and purchase in this State of stocks of persons, firms, corporations, joint stock companies, or other associations of persons, being organized and hereafter organized for profit and to regulate and supervise the offering or contracting for sale and purchase of such stock; and to fix commissions and promotion fees allowed to be charged; prohibiting the issuance of permits to do business and the granting of applications to such concerns organized or incorporated under the laws of some other State with the intent and purpose to evade the laws of Texas; providing for the licensing of agents and brokers offering for sale within this State stocks or shares subject to the operation of this Act, and providing penalties for violations by agents and brokers; requiring the Attorney General to appoint, designate and set apart a competent assistant to advise the Secretary of State and Commissioner of Banking and Insurance in the enforcement of this Act, setting forth his rights, duties and powers in such enforcement and authorizing the institution of quo warranto, injunction and other suits; and, providing for service of process, examination fees and exempting certain corporations from the effect of this Act; providing a penalty for the violation of the provisions of this Act, and declaring an emergency."

DEAN, Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Insurance and banking, to whom was referred H. B. No. 105, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

#### SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas, Feb. 5, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum be-

ing present, the following Senators answering to their names:

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Hopkins.

Absent—Excused.

Strickland. Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Strickland for today, on account of important business, on motion of Senator Faust.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.

Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 5, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. C. R. No. 23 and has adopted S. C. R. No. 13, as follows:

Resolved by the Senate of Texas, the House of Representatives concurring, That all testimony taken in the joint proceeding known as the "Ranger Force Investigation" be

printed daily, in the respective journals of the two houses, in order that the public may be properly informed.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, Feb. 5, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

By Mr. Richards:

H. B. No. 36, A bill to be entitled "An Act to repeal Chapter 197 of the Acts of the General Laws of the Regular Session of the Thirty-fifth Legislature, which chapter is 'An Act to provide for the establishment, maintenance and government of a State Normal College, to be located at Alpine in Brewster County, Texas, to be known as the 'Sul Ross Normal College,' 'and declaring an emergency,' providing that all acts performed, contracts or agreements that may have been entered into under the provisions of said Chapter 197, by the State of Texas or by any of its officers, agents or employees, are each and all hereby annulled and all appropriations cancelled, and declaring an emergency."

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Bill Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred after its caption had been read, the following: House Bill No. 36, referred to the Committee on Educational Affairs.

Bills and Resolutions.

By Senator Dudley:

S. B. No. 198, A bill to be entitled "An Act providing that the School of Mines and Metallurgy established by Chapter 178, Acts of the General Laws of the 33d Legislature of 1913, located in the city of El Paso, El Paso County, Texas, be and the same is made and constituted a branch of the University of Texas for instruction in the arts of mining and metallurgy; authorizing the University of Texas through its board of regents to

take over the management and control of said School of Mines and Metallurgy and its properties, and requiring the University of Texas to assume and pay off the obligations of said school, and declaring an emergency."

Read first time, and referred to the Committee on Educational Affairs.

By Senator Buchanan of Scurry:

S. B. No. 199, A bill to be entitled "An Act to provide for the sale of oil and gas, coal and lignite, that may be in any of the surveyed or unsurveyed public free school land that is now unsold and that which may now be sold, but which may hereafter revert to the public free school fund by forfeiture or other recovery; and the said substances that may be in the University and Asylum lands that are now unsold and that which may hereafter revert to the University or asylums fund by forfeiture or other recovery; and the said substances that may be in any of the land belonging to said funds that has heretofore been sold with the minerals therein reserved to the fund to which the land belonged; and the said substances that may be in any of said land that has been heretofore sold with a mineral classification and that which may hereafter be sold with a mineral classification and that which may hereafter be sold with the minerals reserved to the fund to which the land belongs; and the said substances that may be in any of said lands that may have been purchased with a relinquishment of the State's islands, salt water lakes, fresh water lakes, bays, inlets, marshes, reefs, river beds and river channels; providing that injunctions shall not delay development of minerals; repealing Chapter 83, Act March 16, 1917, but such repeal shall not affect existing rights, and declaring an emergency."

Read first time, and referred to Committee on Public Land and Land Office.

By Senator Bell:

S. B. No. 200, A bill to be entitled "An Act to amend Chapter 79 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, 1918, entitled 'An Act to amend Section L, Chapter 189, of the General Laws of the State of Texas, passed by the Regular Session

of the Thirty-fifth Legislature of the State of Texas, 1917, relating to official shorthand reporters' compensation in Dallas County, Harris County, Bexar County, Wichita County, Potter County, and Travis Counties, and declaring an emergency,' relating to official shorthand reporters' compensation in Dallas County, Travis County, Bexar County, Wichita County, Potter County, Travis County and Jefferson County, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Alderdice:

S. B. No. 201, A bill to be entitled "An Act to amend Articles 2763-2766 inclusive of the Revised Statutes of 1911, providing that, wherever practicable, counties hitherto served by ex officio county superintendents, shall be combined into convenient groups with other counties, each group to be served by one school superintendent, providing for the organization of said groups by the State Superintendent of Public Instruction, subject to the approval of the County Boards and of the State Board of Education, providing for the selection of said superintendent by the County Boards of said counties in joint session, providing for the compensation of said superintendent, and for office assistant, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Alderdice:

S. B. No. 202, A bill to be entitled "An Act to amend Chapter 36 of the General Laws passed by the Thirty-fourth Legislature of the State of Texas, 1915, by the addition of Section 2a relating to the employment of the County Superintendent of Public Instruction by the County School Trustees as provided for in this Act, and repealing all laws and parts of laws in conflict therewith."

Read first time, and referred to Committee on Educational Affairs.

By Senator Dean:

S. B. No. 203, A bill to be entitled "An Act providing that the Industrial Accident Board of this State shall not be made a party defendant to any suit to set aside any final ruling and decision made by such Board; providing that the Industrial Accident

Board shall be dismissed with its costs from all suits now pending for such purpose; providing that in the event Section 2 of this bill is for any reason held invalid, such holding shall not affect the remainder of the bill, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Caldwell:

S. B. No. 204, A bill to be entitled "An Act to amend an Act of the Thirty-fourth Legislature of Texas, passed at its Regular Session and approved February 18, 1915, which Act was House Bill No. 177, Chapter 17, of the said Thirty-fourth Legislature, amending Sections 26 and 53, of Article 30, of Title 5, of the Revised Civil Statutes of Texas, 1911; to reorganize the 26th Judicial District of Texas; to create the 87th Judicial District of Texas; to fix and define the jurisdiction of the 26th, 53d and 87th Judicial Districts of Texas; to fix times for holding court in said three judicial districts, and provide for organizing grand juries in said three courts for certain times thereof; to abolish the Criminal District Court for the Counties of Travis and Williamson; to abolish the office of District Attorney in the Counties of Travis and Williamson, and provide for the County Attorneys in said two counties performing the duties of District Attorney in their respective counties, and fixing their compensation therefor; to provide for the transfer of all cases and matters on the dockets of, or pending in, the said Criminal District Court for Travis and Williamson Counties to the dockets of the 26th, 53d and 87th Judicial District Courts, in their respective counties; to provide for the transfer of all cases and matters pending in Williamson County, in the 26th Judicial District Court, to the dockets of the 87th Judicial District Court; to provide for the transfer of cases from the 26th and 53d Judicial District Courts, in Travis County, to each other; to provide for the election of a District Judge in the 87th Judicial District, and for the appointment of an official Court Reporter in said 87th Judicial District, and fixing his compensation; to conform and validate all writs, processes, bonds, recognizances and orders, and the drawing of grand and petit juries of the 26th, 53d and

87th Judicial District Courts to the changes made in this Act; to fix the time this Act shall take effect; and to repeal all laws and parts of laws in conflict herewith"

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 205, A bill to be entitled "An Act to amend Section 9, Chapter 20, of the local and special laws, passed by the Fourth Called Session of the Thirty-fifth Legislature, being 'An Act to amend Section 9 of Chapter 17, Special Laws passed at the First Called Session of the Thirty-third Legislature, entitled 'San Patricio County Road System—Creating,' authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from date of issuance, with such option of redemption as may be fixed by the commissioners' court, or to issue such bonds to mature serially in approximately equal portions every year for not exceeding forty years, and declaring an emergency,' by changing the rate of interest provided in Section 9 thereof from not exceeding 5 per cent, and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Carlock:

S. B. No. 206, A bill to be entitled "An Act to amend the following Sections and Sub-Sections of Chapter 207 of the Acts of the Regular Session of the 35th Legislature, approved April 9, 1917, and commonly known as the Acts Regulating the Operation of Motor Vehicles on the Public Highways, to-wit:

Amending Section 1 of said Act by providing for the Highway Department keeping only a numerical index of the licenses issued under said Act, and eliminating the requirement as to an alphabetical index:

Amending Subdivision "L" of Section 16 of said Act by requiring motor vehicles to come to a full stop before attempting to pass railroad trains, interurban cars or street cars, stopped for the purpose of receiving or discharging passengers:

Amending Section 17 of said Act by requiring that all motor vehicles, when crossing railroads or interur-

ban tracks at grade, and not in cities or towns, to come to a full stop:

Amending Section 37 of said Act by providing that the fines collected from violations thereof should be applied to the maintenance of the streets and highways, and also the enforcement of the Traffic Laws of the State; and declaring an emergency.

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnston:

S. B. No. 207, A bill to be entitled An Act to make appropriation for the Prairie View State Normal and Industrial College, and declaring an emergency.

Read first time and referred to Committee on Finance.

By Senators Hopkins and Buchanan of Bell:

S. B. No. 208, A bill to be entitled An Act to amend Article 5684, of the Revised Civil Statutes of 1911, so as to limit the time in which a person, under twenty-one years of age, or in the military or naval service of the United States, in the time of war, or of unsound mind, or imprisoned may institute suit for the recovery of real estate, and by adding after said Article a new Article to be known as Article 5684a, so as to provide that a person having the peaceable and adverse possession of the land, tenements or hereditaments, the title to which has passed out of the State, using and enjoying same, under regular recorded chain of title for a period of twenty-five years, shall be conclusively presumed to have a good marketable and incontestable title thereto, that abstracts showing such facts shall be deemed a complete abstract of the title to such land, and declaring an emergency.

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 209, A bill to be entitled An Act to amend Article 2772 of the Revised Civil Statutes of 1911 defining the purposes for which the public free school funds of Texas may be expended.

Read first time and referred to Committee on Educational Affairs.

By Senator Dean:

S. B. No. 210, A bill to be entitled An Act to place concurrent jurisdic-

tion in the district and county courts of Travis County by presentation by indictment by a grand jury; by affidavit and information and the trial thereof of all offenses named in Chapters 1, 2, 3, 4, and 5 of Title 6 of the Revised Criminal Statutes of 1911; to repeal all laws in conflict with the provisions of this Act, and declaring an emergency.

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Page and Witt.

S. B. No. 211, A bill to be entitled An Act to make uniform the law of negotiable instruments in the State of Texas, repealing all laws and parts of laws in conflict herewith and declaring an emergency.

Read first time and referred to Committee on Insurance and Banking.

#### House Bill No. 145.

The Chair laid before the Senate on third reading:

H. B. No. 145, A bill to be entitled "An Act to amend Sections 1, 2, and 8, Chapter 118, Special Laws enacted at the Regular Session of the Thirty-fifth Legislature, known as a Special Road Law for Cherokee County, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Suiter, was passed by the following vote:

Yeas—26.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Witt.
Dudley.	Woods.

Absent.

Hopkins.	Williford.
Page.	

Absent—Excused.

Strickland.

**Simple Resolution No. 50.**

(By unanimous consent.)

Senator Smith moved to rescind the vote by which the Senate on yesterday adopted:

S. R. No. 50, relating to the signing of the Suffrage Amendment Resolution by Governor W. P. Hobby in the presence of the Senate.

The motion prevailed and Senator Smith then offered the following:

Substitute for Simple Resolution No. 50 by substituting therefor the following:

Resolved, that Governor W. P. Hobby be invited to sign Senate Joint Resolution No. 7, being the full suffrage resolution, from the desk of the President of the Senate, in the presence of the Senate, at such time as he may select, and that he use two gold pens in the signing of said resolution, and that he present one of said pens to Mrs. Minnie Fisher Cunningham, President of the Texas Equal Suffrage Association, and the other to Mrs. Nona Boren Mahoney, formerly of Tyler but now of Dallas, Texas, and a member of the National Suffrage Executive Committee of Texas.

SMITH,  
McNEALUS,  
DEAN,  
DUDLEY.

The substitute was read and adopted.

**Simple Resolution No. 52.**

Whereas, the Hon. A. P. Barrett, a former distinguished member of this Senate is now in the Capitol, therefore be it

Resolved, that he be extended the privilege of the floor and that he be invited to address the Senate.

HERTZBERG,  
GIBSON,  
CALDWELL,  
WITT,  
DEAN.

The resolution was read and adopted and Ex-Senator Barrett addressed the Senate briefly.

**Senate Joint Resolution No. 14.**

The Chair laid before the Senate on second reading:

S. J. R. No. 14, being a resolution to amend "Section 50, Article 3, of the Constitution of the State of Texas to provide that the Legislature shall have power to give or lend or authorize the giving or lending of the credit of the State for the purpose of assisting citizens who are heads of families to acquire or improve their homes; authorizing the State to acquire, improve, sell or lease real estate or assist such citizens to acquire or improve their homes upon terms and conditions prescribed by the Legislature; authorizing the Legislature to create such agencies and corporations as may be necessary to carry out the purposes of this Section; providing that obligations created under this Section shall never be taxed; and providing that the Legislature shall have authority to provide a method of securing any deferred payments for lands purchased hereunder, and that such obligations shall be secured in addition to the usual liens by an annual assessment collected as a tax against the land; and providing that the Legislature shall have no power to relieve any person from any obligation entered into under this provision or any statute enacted thereunder."

Senator Westbrook offered the following amendment which was read and adopted:

(1) Amend the original resolution by adding after the words "time prescribed" in line 18, Section 50, page 2, the words: "Provided that no land shall be acquired by the State under the terms of this amendment to the constitution, until the said lands are examined, and the value of said lands is appraised and ascertained as to its actual value for agricultural purposes, by a commission hereby authorized composed of the Governor, Attorney General, Land Commissioner, Comptroller of Public Accounts and the State Treasurer; and their report shall be available to all prospective land purchasers."

Amend the resolution, page 2, line 4 by inserting the word "State" before the word "agencies" and by striking out the words "and such public or private corporations" in line 4. And by adding after the word "Section" in line 5, the words "and no private corporations shall ever be created for the purpose of buying, improving or selling land."

Amend the caption, line 14 by adding the word "State" before the word "agencies" and by striking out the words "and corporations" and by adding after the word "Section" in line 16, the following: "Providing that no private corporations shall ever be created for the purpose of buying, improving, or selling land."

The resolution was read second time and on motion of Senator Westbrook the same was ordered engrossed.

#### House Bill No. 19.

The Chair laid before the Senate on second reading:

H. B. No. 19, A bill to be entitled "An Act to grant to every person, firm, corporation, limited partnership, joint stock association, or association of any kind whatsoever owning, operating, or managing any pipe line or any part of any pipe line within the State of Texas for the transportation of crude petroleum that is declared to be a common carrier by, and is subject to the provisions of Chapter 30 of the General Laws passed by the Thirty-fifth Legislature approved February 20, 1917, the right and power of eminent domain in the exercise of which he, it, or they may enter upon and condemn the lands, rights of way, easements, and property of any person or corporation necessary for the construction, maintenance, or operation of his, its or their common carrier pipe lines, the manner and method of such condemnation and the assessment and payment of the damages therefor to be the same as is provided by law in the case of railroads; and to grant such other rights as are conferred by Article 1306 of Chapter 24, Title 25 of the Revised Civil Statutes of Texas of 1911 upon corporations organized under said Chapter 24; and declaring an emergency."

The bill was read and on motion of Senator Buchanan of Scurry the same was laid on the table subject to call.

#### House Bill No. 10.

The Chair laid before the Senate on second reading:

H. B. No. 10, A bill to be entitled "An Act to provide for creating a Firemen, Policemen, and Fire Alarm Operator's Pension Fund in all incor-

porated cities and towns in this State having a paid fire, police, and fire alarm operator's department; creating a board of trustees for the same; defining the duties and powers of the trustees thereof; describing the persons entitled to receive pensions; providing for a deduction from the salaries of all firemen, policemen and fire alarm operators who desire to participate in said funds when entitled thereto under the term of this Act for the purpose of creating said fund, and for other sources of revenue therefor; defining the duties of the Treasurer of any such city or town in respect to said fund; providing the method of disbursement of said funds, and providing that such pension fund shall be exempt from judgment and garnishment."

Senator Woods offered the following amendment:

Amend H. B. No. 10 by adding after the word "department," line 29, page 1, Section 1, the following words, "which shall by an ordinance adopt the provisions of this act."

On motion of Senator Dayton the amendment was tabled.

Senator Bailey offered the following amendment which was read and adopted:

(1) Amend the caption and the bill by adding after the words "cities and towns in this State" wherever they occur the words "having a population of over 10,000 according to the U. S. census of 1910."

The bill was read second time and

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 10 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dudley.	Woods.
Faust.	

Absent.

Buchanan of Bell.	Westbrook.
Dorough.	Williford.
Page.	Witt.

**Absent—Excused.****Strickland.**

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

**Yeas—23.**

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Woods.
Dudley.	

**Absent.**

Dorough.	Westbrook.
Hopkins.	Williford.
Page.	Witt.

**Absent—Excused.****Strickland.****House Bill No. 83.**

The Chair laid before the Senate on second reading:

H. B. No. 83, A bill to be entitled "An Act amending Section 7, of an Act passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, entitled: An Act to be known as the Interchangeable Jury Law, to regulate the selection, organization and custody of juries in all cases except Capital and Lunacy cases in counties where there are now three or more, or may hereafter be established three or more district courts, and to repeal all laws in conflict herewith, and declaring an emergency.

The bill was read second time and passed to its third reading.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 83 put on its third reading and final passage by the following vote:

**Yeas—25.**

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bell.	Caldwell.

Carlock.	Hall.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Johnston.
Dorough.	McNealus.
Dean.	Parr.
Dudley.	Smith.
Faust.	Suiter.
Floyd.	Woods.
Gibson.	

**Absent.**

Page.	Williford.
Westbrook.	Witt.

**Absent—Excused.****Strickland.**

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed by the following vote:

**Yeas—26.**

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Woods.

**Absent.**

Page.	Witt.
Williford.	

**Absent—Excused.****Strickland.**

Morning call concluded.

**Senate Bill No. 118.**

The Chair laid before the Senate as pending business on second reading:

S. B. No. 118, A bill to be entitled "An Act to provide for the purchase and distribution by the State of free text books to the public school children of the State of Texas, making it the duty of the State Board of Education to purchase such books from a fund set aside each year out of the available school fund of the State; providing the procedure to be followed in purchase of said books and



their distribution through the State agencies or depositories which all parties with whom the State has made text book contracts are required to maintain, and through the district boards of school trustees or their legally appointed representatives; providing the method of ascertaining the scholastics for purposes of free text book distribution; prescribing the duties of district boards of school trustees and of the State Board of Education and of the State Superintendent of Public Instruction under the Act; etc., and declaring an emergency.'

The reading of the bill section by section was continued.

Senator Dayton offered the following amendment which was read and adopted:

(8) Amend Senate Bill No. 118, Section 20, pages 10 and 11, by striking out all after the word "books" in line 32, page 10, and all of lines 11 and 12, page 11, and insert in lieu thereof the following:

"Shall be in accordance with rules of the State Department of Education subject to the approval of the State Board of Education of Texas."

Requisition for supplementary books may be made at convenient times during the session, but must be made within one month in advance of the time the books will be needed.

The bill was read second time and passed to engrossment.

On motion of Senator Dayton, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 118 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Woods.
Dudley.	

Absent.

Clark.	Page.
Floyd.	Williford.
Johnston.	Witt.

Absent—Excused.

Strickland.

The bill was laid before the Senate, read third time and, on motion of Senator Dayton, was passed by the following vote:

Yeas—23.

Alderdice.	Dudley.
Bailey.	Faust.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Parr.
Clark.	Smith.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Woods.
Dorough.	

Absent.

Floyd.	Page.
Gibson.	Williford.
Johnston.	Witt.

Absent—Excused.

Strickland.

#### Senate Joint Resolution—Approved by Governor.

At 11 o'clock a. m. a committee composed of Senators Dean, McNealus, Smith, Buchanan of Bell, and Dudley escorting His Excellency, Governor W. P. Hobby, was announced at the bar of the Senate. Governor Hobby then affixed his signature in approval of the Equal Suffrage Amendment Resolution in the presence of the Senate, the same being S. J. R. No. 7 by Senator Buchanan of Bell.

#### Senate Bill No. 50.

The Chair laid before the Senate on second reading:

S. B. No. 50, A bill to be entitled "An Act to amend Article 3842, of the Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office of Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three sev-

eral days was suspended and S. B. No. 50 put on its third reading and final passage by the following vote:

**Yeas—21.**

Alderdice.	Faust.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dorough.	Westbrook.
Dean.	Woods.
Dudley.	

**Absent.**

Carlock.	Johnston.
Clark.	Page.
Floyd.	Williford.
Hall.	Witt.

**Absent—Excused.**

Strickland.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed finally.

**Senate Bill No. 112.**

Senator Dean called from the table and the Chair laid before the Senate on second reading:

S. B. No. 112, A bill to be entitled "An Act making an appropriation of one million (\$1,000,000.00) dollars to the available school fund of the State of Texas for the scholastic year beginning September 1, A. D. 1918, and ending August 31, A. D. 1919, and providing for the method of its distribution, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 112 put on its third reading and final passage by the following vote:

**Yeas—22.**

Alderdice.	Carlock.
Bailey.	Clark.
Bell.	Cousins.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dorough.
Caldwell.	Dean.

Dudley.	McNealus.
Faust.	Parr.
Gibson.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Woods.

**Absent.**

Floyd.	Smith.
Hall.	Williford.
Johnston.	Witt.
Page.	

**Absent—Excused.**

Strickland.

The bill was laid before the Senate, read third time and on motion of Senator Dean, was passed by the following vote:

**Yeas—22.**

Alderdice.	Dorough.
Bailey.	Dudley.
Bell.	Faust.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Woods.

**Absent.**

Floyd.	Smith.
Hall.	Williford.
Johnston.	Witt.
Page.	

**Absent—Excused.**

Strickland.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, February 5, 1919.  
Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 99, A bill to be entitled "An Act to amend Article 317, Title 12, of the Revised Civil Statutes of the State of Texas of 1911, empowering and authorizing the clerk of the Supreme Court to issue a license to practice law in all the courts of Texas, to the holder of a diploma issued by the law department of the University of Texas and any other

universities in Texas approved by the State Board of Education, and whose course of study in law covers a period of not less than three collegiate years, and declaring an emergency."

With amendments.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Senate Concurrent Resolution No. 14.

(By unanimous consent.)

Whereas, it has been called to the attention of the Senate in a public address that there are many million dollars worth of oil being taken by private parties from the public school lands of Texas, and

Whereas, it appears that there has been no compensation paid to the school funds of Texas for said oil either in royalties or any other way, and

Whereas, it is a matter of common knowledge that the oil industry in the western part of this State amounts to many millions of dollars, and

Whereas, it is also a matter of public information that we need all of the money that the schools of Texas are legally entitled to for the proper conducting of schools, the payment of teachers salaries, equipment, etc.; therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, that a committee of two Senators be appointed by the Lieutenant Governor, and three members of the House of Representatives be appointed by the Speaker of the House, with full powers, to make a full, fair and complete investigation of this matter in order that a true status of the condition may be revealed, and a full and ample protection be afforded to the school children and school funds of Texas, and the Legislature and people of Texas be fully informed of this matter, and that their interest be fully protected; that said committee shall conduct their investigation during the present session of the Legislature, and that they recommend such measures, acts or things, as in their judgment, may be best calculated to obtain for Texas and its people, the school children and school funds, full protection and full compensation for the school property, oil, gas, real es-

tate, or whatever may be found to be the property of said school fund or said school children of Texas.

DAYTON.

The resolution was read and referred to the Committee on Educational Affairs.

#### Message From the Governor.

Governor's Office,

Austin, Texas, Feb. 4, 1919.

To the Thirty-sixth Legislature:

Some months ago cotton growers in the United States, and particularly in Texas, were greatly alarmed over the discovery in Mexico of a cotton pest known as the pink bollworm. This pest has proven to be destructive in many countries where cotton is grown, and when the fact became known that considerable quantities of seed had been shipped from the infested area of Mexico to various oil mills in this State the apprehension became very general. Legislation was enacted promptly, however, which provided ample authority to the State Department of Agriculture to undertake the eradication of the worm, in which work the United States Department of Agriculture has co-operated very actively and efficiently. The apprehension felt by other cotton growing States of the Union is disclosed in the fact that although Texas acted without loss of time in passing adequate legislation for the protection of the cotton industry, three States quarantined against the cotton products of this State. Fortunately, however, it was possible to give the officials of these States the assurance of vigorous action to prevent the spread of the pest, and the quarantine was in time withdrawn by two of them, and notice has recently been received that the third State will soon withdraw its quarantine also.

The law designed to prevent the spread of the pink bollworm, as first enacted, provided for the issuance by the Governor of a proclamation prohibiting the growing of such cotton in such territory as the Commissioner of Agriculture of the State should represent as being so infested with the worm that the further cultivation of cotton in such territory would constitute a certain menace to the cotton industry of the State.

Under this provision of the law it has been deemed necessary to proclaim only one non-cotton zone in which no cotton should be produced for a time. I am now advised by the Honorable F. W. Davis, Commissioner of Agriculture, that the work of eradication in this non-cotton zone has been carried on so successfully, with the co-operation of the United States Department of Agriculture, as to give every reasonable assurance that the worm has been destroyed in this territory. While this is believed to be true, it is the judgment of the Commissioner of Agriculture and the entomologists of his department, as also the opinion of the entomologists of the United States Department of Agriculture, that it would be unwise to release this territory from all supervision. The Commissioner recommends that the law be so amended and its provisions so modified as to provide for the creation, by proclamation of the Governor, of a regulated zone in which such reasonable measure of supervision may be exercised as to enable the State Department of Agriculture to detect promptly any new outbreak of the worm, making it possible to prohibit or supervise the growing of cotton in an affected zone, instead of giving power to prohibit it only.

I fully concur in this proposed amendment, and inasmuch as the time will soon be here when planting will begin I am presenting the subject of amending the present pink bollworm act to the Legislature, with the recommendation that prompt consideration be given it and that such action be taken as will authorize me to withdraw the present non-cotton proclamation and issue a proclamation providing for a regulated zone in which cotton may be grown under such general rules as may be deemed essential by the Commissioner of Agriculture to the protection of the cotton industry of the remainder of the State and that of other cotton growing States.

It would have been impossible to have done so much and effective work in eradicating the pink bollworm had not Congress appropriated a large sum of money for such purpose. After the initial appropriation by Congress for such purposes as the pink bollworm, it is the usual custom to confine their appropriation to a 50-50

basis with the State—e. g., citrus canker. Slight infestations having been found this season in other portions of the State, I suggest that you make ample appropriation for completing this very important work.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

#### Senate Bill No. 103.

Senator Dean called from the table and the Chair laid before the Senate on second reading:

S. B. No. 103, A bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people and providing adequate school facilities for the education of their children by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, by allowing the State Board of Education to aid such schools, and providing how such schools shall be located and school buildings constructed, furnished and maintained, and providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred scholastics, exclusive of transfers, shall receive such aid; and providing that such schools receiving such aid shall have a certain percentage of attendance, with exceptions; and providing that certain of said schools so receiving aid shall add a local school tax of not less than fifty cents on the one hundred dollar valuation, and giving the State Board of Education power to establish rules and regulations for the organization of such country schools and otherwise carrying out the purposes and intentions of this Act; and defining the powers of the State Board of Education in that connection, and providing for assistants to the State Superintendent to be known as 'rural school supervisors'; and providing for reports to be made to the State Board of Education; and providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws in conflict herewith, and declaring an emergency."

Senator Alderdice offered the following amendment:

(1) Amend Senate Bill No. 103 by striking out all of Subdivisions Nos. 1, 2, 3, and 4 of Section 5.

Senator Buchanan of Scurry offered the following substitute for the above amendment:

Amend S. B. No. 103 by striking out Sub-Sections 1, 3, and 4, of Section 5 on page 5 of printed bill, and renumbering remaining sub-sections consecutively.

Pending.

#### Adjournment.

At 12:20 o'clock p. m., the Senate on motion of Senator Dorrough, adjourned until 10 o'clock a. m. next Friday.

#### APPENDIX.

##### Engrossing Committee Report.

Committee Room,  
Austin, Texas, Feb. 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 29 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

##### Committee Reports.

Committee Room,  
Austin, Texas, Feb. 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 41, a bill to be entitled "An Act to amend Chapter 133 of the General Laws of the General Session of the 35th Legislature, so as to provide that said act shall apply to any person, corporation or collection of persons or partnership who pursue the business of collecting accounts due to any persons or partnership or corporation for merchandise or goods actually sold and delivered, or for services actually performed, or for premises occupied or for rentals, and who charge a reasonable fee for collecting such bona fide accounts past due, and declaring an emergency.

Has had said bill under consideration, and I am directed to report the

same back to the Senate with the recommendation that it do not pass.

DEAN, Chairman.

Committee Room,  
Austin, Texas, Feb. 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 3, a bill to be entitled "An Act defining what shall constitute actionable fraud in this State, and prescribing a rule for damages to be recovered against persons committing fraud as defined in this Act, and declaring an emergency,"

Has had the same under consideration and report the same back to the Senate with the recommendation that same do pass.

SUITER, Chairman.

Committee Room,  
Austin, Texas, Feb. 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 136, A bill to be entitled "An Act requiring persons, firms or corporations, doing business in a city containing a population, according to the United States census for the year of 1910, of 25,000 or more people, buying or securing possession of, for resale, used furniture or household goods or store or office furniture or fixtures or pianos or other musical instruments, to make reports thereof by filing with the County Clerk of the county where such purchase or sale is made, a sworn statement, giving a description of the goods, amount paid for same, from whom purchased, providing a penalty for the violation thereof, and declaring an emergency,"

Has had the same under consideration and report the same back to the Senate with the recommendation that the same do pass.

SUITER, Chairman.

Committee Room,  
Austin, Texas, Feb. 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred S. B. No. 178, have had the same under consideration, and I am instructed to report the same back to

the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 187, A bill to be entitled "An Act to amend Article 7504, Chapter 126, of the Revised Civil Statutes of the State of Texas, relating to taxation and declaring an emergency."

Have had the same under consideration and beg to report the same back to the Senate with the recommendation that it do pass and be printed.

Dudley, Chairman, Parr, Hertzberg, Faust, Hall, Buchanan of Scurry.

Committee Room,

Austin, Texas, February 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Mining, Irrigation and Drainage to whom was referred

S. B. No. 186, A bill to be entitled "An Act to provide for the sale and development and patenting of mineral deposits, placers, veins, lodes, or any rocks or aqueous solutions carrying metallic or non-metallic substances of value, excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several Asylum funds, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein or which may hereafter be sold with the reservation of minerals therein and all of said lands as were purchased with a relinquishment of the minerals therein, and all lands of which the mineral rights therein have or shall have reverted to the State of Texas and the said mineral substances that may be in any fresh water lake, salt water lake, bays, inlets, marshes, reefs, islands, and river beds and channels which belong to the State, repealing all laws in conflict with this act, and declaring an emergency."

Have had the same under consideration and beg to report same back to the Senate with the recommendation that it do pass and be printed.

Dudley, Chairman; Parr, Hertzberg, Faust, Hall, Buchanan of Scurry.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 195, A bill to be entitled "An Act to create a common county line school district to be known as the Lone Cedar District, to be under the jurisdiction, management and control of the county school board of Ellis County, Texas, to be composed of the territory described in this Act and defining the rights, powers and privileges of such district and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Alderice, Chairman, Cousins, Hopkins, Floyd, Dean, Witt, Dayton, Buchanan of Scurry, Gibson.

Committee Room,

Austin, Texas, February 4, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred House Bill No. 306, "A bill to be entitled an Act to amend Chapter 103 of the General Laws of the State of Texas, Thirty-Third Legislature, 1913, being an Act fixing the number of members constituting the governing boards of the University of Texas, the Agricultural and Mechanical College of Texas, the Normal Colleges, the College of Industrial Arts for Women, the Blind Institute, the Deaf and Dumb Institute, the Deaf, Dumb and Blind Institute for Colored Youths, the Confederate Home, the Confederate Woman's Home, the State Asylums for the Insane, the State Epileptic Colony, the State Orphans' Home; fixing the term of office of members of such boards; and declaring an emergency," have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following Committee Amendments and be not printed.

Amend Section 1 of the bill by striking out the word "nine" wherever it appears therein, and insert the word "six" in lieu thereof, except as to the number constituting the Board of Regents of the University of Texas, and the Board of Directors of the Agricultural and Mechanical College of Texas, the College of Industrial Arts, which shall remain "nine" persons, as shown by said section.

Amend Section 1 of the bill by striking out the word "four" referring to the number of women who shall be members of the Board of Regents of the College of Industrial Arts for Women, and insert in lieu thereof the word "three."

Amend the bill by adding the following after Section 2 of said bill: "provided that where the regents or other governing board of the institutions covered by Section 1 of this Act have a tie vote, and are unable to select a Superintendent, or other employee, of said institution, or institutions, or decide any other question coming before said board, a board consisting of the Comptroller of Public Accounts, the State Treasurer and Attorney General shall decide the tie by a majority vote, and such party selected by said board shall constitute the Superintendent, or other employee, of said institution, or institutions, or a decision of any "tie" vote of said boards.

COUSINS, Vice Chairman.

#### Enrolling Committee Report.

Austin, Texas, February 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Concurrent Resolution No. 13 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

#### Senate Concurrent Resolution No. 13.

Resolved by the Senate of Texas, the House of Representatives concurring, that all testimony taken in the joint proceeding known as the "Ranger Force Investigation" be printed, daily, in the respective Journals of the two Houses in order that the public may be properly informed.

#### EIGHTEENTH DAY.

Senate Chamber,  
Austin, Texas,

Friday, February 7th, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Clark. Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

#### Petitions and Memorials.

See Appendix.

#### Standing Committee Reports.

See Appendix.

#### Bills and Resolutions.

By Senator Bailey:

S. B. No. 212, A bill to be entitled "An Act regulating the traffic in gasoline and other petroleum products in this State; prohibiting the sale of such products except under their true name and providing for inspection thereof; providing that packages, containers or receptacles containing any of said products shall be plainly marked in accordance with regulations of the Interstate Commerce Commission and show the name of the manufacturer and place of manu-